IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6052 of 2007()

CRIME NO. 249/07 OF MANNAR POLICE STATION
CMP.4017/2007 of J.M.F.C.-II, CHENGANNUR

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PETITIONER/ACCUSED:

KALESH, AGED 26 YEARS,
S/O. CHELLAPPAN, RESIDING AT KALEH BAVANAM,
BUBANUR PADINJATTAM MURI, CENNAKKAD VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.AJITH MURALI

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6052 of 2007

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Dated this the 4th day of October, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Sections 306 and 498A I.P.C. The crux of the allegations is that the petitioner was guilty of matrimonial cruelty of culpable variety against his deceased wife. On account of such matrimonial cruelty and abetment to commit suicide, the deceased/wife, along with the infant child, jumped in front of a running train. Both were killed. Initially the crime was registered under the caption 'unnatural death'. Later the petitioner was arrested on 17.9.2007 and he continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 17.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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